



POLICE DEPARTMENT

May 22, 2015

MEMORANDUM FOR: Police Commissioner

Re: Police Officer Debbie Turner
Tax Registry No. 947963
17 Precinct
Disciplinary Case No. 2014-12278

The above-named member of the Department appeared before me on April 24, 2015, charged with the following:

1. Said Police Officer Debbie Turner, while assigned to the 42nd Precinct, on or about August 8, 2014, while on duty, did wrongfully engage in conduct prejudicial to the good order, efficiency, and discipline of the Department in the Police Office Turner entered a restricted area of Bronx Central Booking without permission or authority to do so and engaged in a verbal altercation with Police Officer Judith Camacho.

P.G. 203-10, Page 1, Paragraph 5 – PUBLIC CONTACT – PROHIBITED CONDUCT

2. Said Police Officer Debbie Turner, while assigned to the 42nd Precinct, on or about August 8, 2014, while on duty, having been directed by Sergeant Carlos Felipe to leave the restricted area Bronx Central Booking and cease her altercation with Police Officer Judith Camacho, did fail and neglect comply with said order.

P.G. 203-03, Page 1, Paragraph 2 – COMPLIANCE WITH ORDERS

3. Said Police Officer, Debbie Turner, while assigned to the 42nd Precinct, on or about August 8, 2014, while on duty, did fail and neglect to properly safeguard her Department firearm, to wit: a 9mm Smith & Wesson 5946 (serial number BEM2636).

P.G. 204-08, Page 2, Paragraph 7 – FIREARMS – GENERAL REGULATIONS

The Department was represented by Jennifer Kim, Esq., Department Advocate's Office, and Respondent was represented by Michael Martinez, Esq.

Respondent, through her counsel, entered a plea of Guilty to the subject charges and testified in mitigation of the penalty. A stenographic transcript of the mitigation record has been prepared and is available for the Police Commissioner's review.

DECISION

Respondent, having pleaded Guilty ■ found Guilty.

SUMMARY OF EVIDENCE IN MITIGATION

On August 8, 2014, Respondent's assignment was to transport prisoners from the 42 Precinct to Bronx Central Booking. Transport vans enter Central Booking through a large garage area where an officer, who operates the garage door, is stationed in an enclosed glass booth measuring approximately 10' by 10'. When transport vans enter the area, this officer closes the garage door to ensure the safe entry and egress of prisoners.

When Respondent's van arrived at the garage, Respondent noticed that Officer Judith Camacho was stationed at the operating booth. Upon entry, Camacho called out to Respondent but they did not speak at the time. It is undisputed that the two women had a very contentious relationship stemming from the fact that Respondent was married to the ■ of Camacho's ■. In fact both officers had received Departmental discipline in 2010 for conduct stemming from their ongoing personal dispute. (Tr. 14-18)

After Respondent transported her prisoners without incident, she returned to the garage to retrieve the items she had secured in a locker. Respondent's partners were waiting for her outside. Camacho told Respondent that she wanted to talk and asked her to come to the booth. Respondent agreed and Camacho opened the door of the glass

booth with a key to let her in. Respondent testified that she entered the operating booth hoping that they could "bury the hatchet." Instead, an argument ensued. The verbal altercation escalated as they argued about each other's role in the 2010 incident for which both were disciplined. Camacho accused Respondent of lying during the investigation. Respondent denied the charge and reaffirmed her belief that Camacho was "going to get me jumped" or "killed." Respondent testified that Camacho hurled vulgarities, "screamed obscenities," insulted her [REDACTED] in a loud voice and asserted that she still had sexual relations with Respondent's [REDACTED]. Respondent countered that Camacho "was embarrassing herself" and yelled, "You are acting like an EDP." The two officers continued to argue as they stood approximately two feet apart from each other in this enclosed booth. (Tr. 18- 22, 34)

Sergeant Carlos Felipe intervened. He entered the booth and repeatedly told Respondent to leave as he stepped between them and attempted to physically restrain Camacho. At some point Respondent complied, but she remained a few feet from the glass booth. As the sergeant attempted to deescalate the situation, Camacho flailed her arms and tried to get past the sergeant as she screamed, "I will drive you across the room." Respondent yelled back, "Just do it" and then took off her gun belt, with her loaded revolver, and dropped it on the floor in preparation for a physical fight. She also gesticulated in a way that one would interpret as, "come and get me." When asked why she dropped her gun belt Respondent replied:

I figured it's going to happen. She is going to want to fight me. She obviously does not want to - you know, not be a friend ... I figured if she is going to lunge towards me, I - then if we are going to fight then unfortunately that's what it is going to have to come down to. The doors are locked. There were no prisoners; there was no one else that can get in, any civilians you know.

Respondent was then escorted out of the garage. At trial she acknowledged that her conduct was inappropriate. (Tr. 22-25, 33-38) Camacho was dismissed from the NYPD. (Tr. 27-28)

PENALTY

In order to determine an appropriate penalty, Respondent's service record was examined. See *Matter of Pell v. Board of Education*, 34 NY 2d 222 (1974). Respondent was appointed to the Department on January 14, 2009. Information from her personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum. This tribunal is also cognizant of the Officer of the Month designation Respondent received and the letter of support submitted at trial.

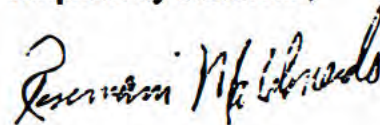
Respondent has pled guilty to the following: engaging in conduct prejudicial to the good order, efficiency, and discipline of the Department by participating in an on duty verbal altercation with another member of service; failing to comply with a sergeant's order to cease the altercation; and failing to properly safeguard her Department firearm by dropping her gun belt to the floor during the altercation.

The Department Advocate seeks a forfeiture of 30 vacation days as the appropriate penalty. This tribunal agrees. Respondent made a series of conscious decisions during the course of this incident that served to escalate the dispute into an incident that required the intervention of a superior officer. First, while her fellow officers were waiting for her outside, Respondent unwisely decided to settle a personal matter with a volatile person who she claims had previously threatened her life. Second, Respondent chose to conduct this personal business in an enclosed security area. Third, when Camacho insulted her, Respondent chose to engage Camacho inside this confined

space instead of walking away. Fourth, a sergeant had to tell Respondent to leave the area more than once before she complied. Fifth, she was still screaming while the sergeant actively tried to separate the officers. These alone are aggravating factors. In addition, it is troubling that Respondent spurred Camacho on while the sergeant was restraining Camacho. She not only said, "Let's do it" when Camacho threatened to hurt her, she also dropped her gun belt with a loaded gun and gestured as if she was ready to fight.

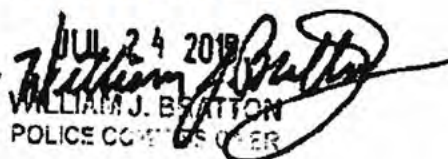
I reject Respondent's argument that their prior history, and the fact that Camacho started the argument, should be taken into account as mitigating factors. On the contrary, their contentious history should have raised red flags that Respondent needed to proceed with an abundance of caution – particularly because she had already been disciplined for conduct relating to her 2010 dispute with Camacho. Given that Respondent has a prior disciplinary record and that she is guilty of the three charges set forth above, I recommend that Respondent forfeit 30 vacation days.

Respectfully submitted,



Rosemarie Maldonado
Deputy Commissioner Trials

APPROVED

JUL 24 2019

WILLIAM J. BRATTON
POLICE COMMISSIONER

**POLICE DEPARTMENT
CITY OF NEW YORK**

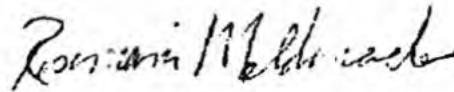
From: Deputy Commissioner – Trials
To: Police Commissioner
Subject: CONFIDENTIAL MEMORANDUM
POLICE OFFICER DEBBIE TURNER
TAX REGISTRY NO. 947963
DISCIPLINARY CASE NO. 2014-12278

In 2013 and 2014, Respondent received an overall rating of 3.5 "Highly Competent/Competent" on her annual performance evaluation. She was rated 3.0 "Competent" in 2012. [REDACTED]

[REDACTED] She has been on Level II Discipline Monitoring since November 2014 as a result of the pending charges.

Respondent has been the subject of one prior adjudication. In 2012, she forfeited five vacation days after pleading guilty to using a Department computer for a non-Department purpose.

For your consideration.



**Rosemarie Maldonado
Deputy Commissioner Trials**